

Message Text

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TO AMEMBASSY PRAGUE PRIORITY

C O N F I D E N T I A L STATE 289886

E.O. 11652: GDS

TAGS:PFOR, SCUL, CZ

SUBJECT:CULTURAL/SCIENTIFIC EXCHANGES

REFERENCE: PRAGUE 3346

1. WITH TWO EXCEPTIONS, WE FIND ALL SUBSTANTIVE ASPECTS OF THE AGREEMENT NOW IN ORDER. WE WOULD PREFER NOT TO INSERT "AND AGREE UPON" IN THE IMPLEMENTATION ARTICLE (8F) (PRAGUE 3346, PARA 9). THE BEST WE COULD DO WOULD BE:"THE CONTRACTING PARTIES AGREE TO ENCOURAGE AND FACILITATE, AS APPROPRIATE, ADDITIONAL COOPERATION AND EXCHANGES, INCLUDING THOSE OF INDIVIDUALS, IN THE FIELDS OF S, T, C AND E." WE REALIZE THE CZECHS WILL WANT TO CHANNEL ALL EXCHANGES FOR APPROVAL THROUGH GOC AGENCIES; HOWEVER, THE CZECHOSLOVAKS MUST UNDERSTAND, AND THE AGREEMENT MUST MAKE CLEAR, THAT THE USG CANNOT AND DOES NOT DESIRE TO SUBJECT INITIATIVES OF US PRIVATE INDIVIDUALS AND ORGANIZATIONS TO USG "CONTROL" IN TERMS OF OUR WILLINGNESS (OR UNWILLINGNESS) TO "AGREE"

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TO THOSE INITIATIVES. THE USG'S RESPONSIBILITY MUST BE

LIMITED TO OFFICIAL EXCHANGE PROGRAMS ONLY; PRIVATE PROGRAMS WILL NOT BE CLEARED THROUGH THE USG. ON THE OTHER HAND, THE PHRASE "AS APPROPRIATE" GIVES THE CZECHS AN OPPORTUNITY TO TURN DOWN EXCHANGES IF THEY REGARD THEM FOR WHATEVER REASON AS UNSUITABLE.

2. CONCERNING THE DURATION OF THE AGREEMENT, WE CANNOT ACCEPT WORDING WHICH MAKES IT APPEAR AS A FOUR-YEAR AGREEMENT. THE CZECHOSLOVAKS SHOULD ACCEPT EITHER THE HUNGARIAN FORMULA (STATE 279843, PARA 3) OR A VARIATION OF THAT LANGUAGE WHICH TERMINATES THE AGREEMENT AT THE END OF THE SECOND TWO YEAR PERIOD. THE LATTER COULD BE ACHIEVED BY CHANGING THE THIRD AND FINAL SENTENCE OF THE HUNGARIAN FORMULA TO READ "IT SHALL REMAIN IN FORCE FOR AN ADDITIONAL PERIOD OF TWO YEARS UNLESS ...".

3. REGARDING ARTICLE 4 (MEDIA COOPERATION), WHY DO A), B) AND C) HAVE "PARTIES WILL ENCOURAGE," WHILE D) HAS "ENCOURAGE AND FACILITATE"? A REVIEW OF CABLE TRAFFIC DOES NOT INDICATE HOW THIS FORMULATION EVOLVED. WE WOULD PREFER TO HAVE (BUT NOT INSIST ON) "ENCOURAGE AND FACILITATE" IN ALL PARAGRAPHS OF ARTICLE 4. OTHERWISE, WE AGREE TO THE COMPROMISE LANGUAGE.

4. ONE MINOR EDITORIAL POINT: "FACILITATING ACCESS" SHOULD READ "FACILITATION OF ACCESS" (PRAGUE 3346, PARA 5).

5. WE APPRECIATE EMBASSY'S ASSESSMENT (PRAGUE 3390) OF THE ROLE THIS AGREEMENT PLAYS IN THE CONTEXT OF US-CSSR RELATIONS, AND WE BELIEVE THE US SIDE HAS BEEN REASONABLY FLEXIBLE IN THE NEGOTIATIONS. WE HOPE THAT ZEMLA WILL NOT PERMIT THE "AND AGREE TO" INSERTION TO BECOME AN ISSUE, ESPECIALLY IN VIEW OF OUR WILLINGNESS TO ACCEPT THE CZECH LANGUAGE ON MEDIA COOPERATION.

6. CU/EE DIRECTOR RICHMOND'S VISIT WILL PERMIT FURTHER REVIEW AND DISCUSSION OF THESE ISSUES. HE WILL BE PREPARED TO DISCUSS WITH EMBASSY AND, IF EMBASSY FEELS IT APPROPRIATE, WITH CZECHOSLOVAKS, THE PROGRAM DOCUMENT IN GENERAL TERMS.

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7. IF WE ACHIEVE AGREED UPON TEXT AT DECEMBER 1 MEETING, EMBASSY SHOULD CABLE ENGLISH AND CZECH (ASSUME THE TEXT WILL NOT APPEAR IN SLOVAK AS WELL) TEXTS FOR COMPARISON HERE. ON INITIALLING AD REFERENDUM, WE DO NOT BELIEVE THAT INITIALLING NEED TAKE PLACE, AND WOULD INSIST ON HAVING THE SIGNING OF THE UMBRELLA AGREEMENT WITH AN ALREADY NEGOTIATED PROGRAM DOCUMENT. IF GOC INSISTS

ON INITIALLING, HOWEVER, WE WOULD BE PREPARED TO DO SO
AFTER WE HAVE COMPARED CZECH AND ENGLISH TEXTS. ROBINSON

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